CALIFORNIA COASTAL COMMISSION

South Coast Area Office 200 Oceangate, Suite 1000 Long Beach, CA 90802-4302 (562) 590-5071



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February 24, 2005

TO: Commissioners and Interested Persons

FROM: Deborah Lee, Senior Deputy Director

Teresa Henry, South Coast District Manager

Elizabeth A. Fuchs, AICP, Manager, Statewide Planning

Pam Emerson, LA Area Supervisor

Al Padilla, Coastal Analyst

SUBJECT: REPORT ON PRIORITY ISSUES FOR MARINA DEL REY PERIODIC LCP REVIEW

This is a report on the results of the public workshop and comments on issue scoping for the Commission's Periodic Review of the implementation of the Los Angeles County Certified Local Coastal Program (LCP) for Marina Del Rey pursuant to Section 30519.5 of the Coastal Act.

STAFF RECOMMENDATION: No vote is required; however, Commission staff is recommending that the Commission concur that staff will focus resources on the priority issues of Recreational Boating (including issues related to affordable boating opportunities), Water Quality, New Development (including issues related to the mix of uses and intensification), Recreation and Visitor Facilities, and Shoreline Access (including public views). These priorities are based on the public outreach priorities (refer to Table 1, page 4), on the Commission actions on appeals of County issued coastal development permits, and Commission staff post certification monitoring experience. While all applicable Coastal Act policy groups will be addressed in the review, it will not be possible to address them all in the same level of detail so these priorities will guide allocation of limited resources.

BACKGROUND

In 2002, as part of a settlement of litigation, the Commission initiated a Periodic Review of the Los Angeles County LCP for the Marina del Rey segment. Commission staff is undertaking the review with funding provided through the CZMA Section 309 Enhancement Grant program. Given limited staff resources, this Marina del Rey Periodic Review was delayed until completion of the recent Monterey County Periodic LCP Review.

Section 30519.5 of the Coastal Act provides:

- (a) The commission shall, from time to time, but at least once every five years after certification, review every certified local coastal program to determine whether such program is being effectively implemented in conformity with the policies of this division. If the commission determines that a certified local coastal program is not being carried out in conformity with any policy of this division it shall submit to the affected local government recommendations of corrective actions that should be taken. Such recommendations may include recommended amendments to the affected local government's local coastal program.
- (b) Recommendations submitted pursuant to this section shall be reviewed by the affected local government and, if the recommended action is not taken, the local government shall, within one year of such submission, forward to the commission a report setting forth its reasons for not taking the recommended action. The commission shall review such report and, where appropriate, report to the Legislature and recommend legislative action necessary to assure effective implementation of the relevant policy or policies of this division.

Periodic Reviews are the Commission's means of evaluating whether the Coastal Act is being effectively implemented through the local plans and local coastal permit actions and determining if an LCP needs updating. Effective coastal management requires that the land use plan and implementation program are periodically reviewed and updated to reflect new information and changed conditions in order to provide sound guidance to individual permit and amendment decisions.

The Marina del Rey segment of the Los Angeles County LCP was effectively certified in December 1990, except for the 141-acre geographic area known as Area A, which remains uncertified. At that time the County assumed permit issuing authority for the certified area. The LCP has been amended twice: in February 1996 (LCPA MDR-1-94) and in January 2002 (LCPA MDR-1-01). The Amendment certified in 1996 was a comprehensive update of the LCP. While early LCP planning and certification documents will provide important information on change in the Marina, the main focus of the Periodic Review will be on implementation since the comprehensive update in 1996.

PRELIMINARY STEPS AND ISSUE SCOPING

On December 8, 2004, Commission staff met with Los Angeles County staff from the County Department of Regional Planning and the County Department of Beaches and Harbors. At this meeting staff discussed the process and tentative schedule for the review and discussed the range of potential evaluation issues under the certified LCP. Commission staff noted that due to limited resources available for the review, priorities would need to be established for which issues were the highest priority for evaluation.

To initiate this process, Commission staff mailed notice to over 300 people, including several newspapers, and held a public workshop on January 19, 2005 at which 50-60 people participated. Participants represented a broad range of interests including: Marina residents, recreational boaters and yacht club members, Marina lessees, environmental and public access groups, and County staff

from both the Department of Beaches and Harbors and the Department of Regional Planning. At this workshop comments on all LCP topics were solicited and the workshop participants were then asked to select their top 3 priority issues. Written comment forms for identifying priorities were provided, a general email address (marinareview@coastal.ca.gov) was made available to facilitate written public comment, and materials were posted on the Commission's website. At the request of members of the public the public comment period for issue scoping was extended to February 2, 2005.

SUMMARY OF ISSUE SCOPING

In prior Periodic Reviews most major Coastal Act Chapter 3 policies were addressed but not in the same level of detail and setting priorities was necessary, for a number of reasons. Each review is different in scope and not all issues may be applicable in every jurisdiction. Some policies may not have been the subject of regulatory actions. Changed conditions or new information may not apply to all issue areas. The public may have greater concerns for some issues than others. And lastly, both the Commission and the County have limited resources to undertake the review and should focus those resources primarily on the most important issues for evaluation.

During the January 19 workshop the public was encouraged to identify issues that they believe are important for the Commission to evaluate in the review and to identify the top 3 priorities among all the issues. The public could also submit comment forms to indicate priority issues. Written comments could also be submitted and an email addressed was established to facilitate input.

The notes of public comments taken by Commission staff during the workshops are provided in Attachment A. Subsequent to the workshop 19 public comment forms listing priorities were also submitted and are summarized on pages 10-11. Numerous emails and other written comments were submitted and are summarized on pages 12-18 and provided in Attachment B. The County of Los Angeles staff also indicated their top three priority issues.

Commission staff also reviewed the 5 appeals of coastal development permits issued by the County¹. The appeals which the Commission determined raised a substantial issue as to conformity with the certified LCP raised issues related to: Shoreline Access, Parking, New Development, Public Views and Wind Corridors, Recreational Boating, and Traffic Mitigation.

From review of all public comments and issues identified by Commission and County staffs, it appears that Recreational Boating (including issues related to affordable boating opportunities and impacts to small boat use), Water Quality, New Development (including issues related to the mix of uses and intensification), and Recreation and Visitor Facilities are the issues raised most frequently. The priority issues identified from all public comment sources are tallied in the following Table 1.

¹ A-5-MDR-95-189 (Fantasea Charters); A-5-MDR-95-017 (Dolphin Marina); A-5-MDR-00-472 (Marina Pacific Assoc.); Two Appeals were found to raise No Substantial Issue: A-5-MDR-01-014 (Marina Two Holding); A-5-MDR-01-478 (Goldrich & Kest).

Table 1: Tally of Priority Issues Identified

Issue Topic	No. SELECTED AS ISSUE PRIORITY AT WORKSHOP	NUMBER SELECTED AS ISSUE PRIORITY IN COMMENT FORMS	No. IDENTIFIED AS ISSUE IN COMMENTS MAILED IN	LOS ANGELES COUNTY STAFF ISSUE PRIORITIES		Total Percentage
RECREATIONAL BOATING	21	15	24	1	61	26%
WATER QUALITY MARINE RESOURCES	12	10	16		38	16%
NEW DEVELOPMENT	19	9	8		36	15%
RECREATION AND VISITOR FACILITIES	6	7	10	1	24	10%
SHORELINE PUBLIC ACCESS	3	7	7	1	18	8%
ENVIRONMENTALLY SENSITIVE HABITAT AREAS	5	7	5		17	7%
TRANSPORTATION AND PARKING ACCESS	3	7	6		16	7%
OTHER/LEGAL AUTHORITY/AIR QUALITY	0	0	6		6	3%
DIKING DREDGING FILLING AND SHORELINE STRUCTURES	0	2	3		5	2%
CULTURAL RESOURCES	0	2	2		4	2%
VISUAL RESOURCES	0	4	0		4	2%
PERMITTING PROCEDURES	1	1	2		4	2%
HAZARD AREAS	0	2	1		3	1%
CIRCULATION	2	1	0		3	1%
PUBLIC WORKS	0	0	0		0	0%
INDUSTRIAL DEVELOPMENT	0	0	0		0	0%
Total					239	

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TENTATIVE SCHEDULE FOR REVIEW

In addition to the workshop and this issue hearing, staff noted at the workshop that the public could submit additional comments as the review proceeds. A hearing on a Draft Periodic Review Report is tentatively scheduled for the Commission's meeting in June 2005 in Long Beach, CA. Final action on the Periodic Review Report is tentatively expected in Fall, 2005.

ATTACHMENT A: NOTES AS RECORDED AT PUBLIC WORKSHOP OF JANUARY 19, 2005

GENERAL

- Use 1991 not 1995 as baseline
- CCMP marina land not in coastal zone
 - excluded areas
 - legal authority

SHORELINE ACCESS

- Inadequate boating access/transient mooring time
- Temporary boat dock space/time
- Loss of recreation boat slips/size of slips
- Protection of public boat launch
- Obstruction on promenade
- Need to look at boat slip demand
- Protection of smaller/recreational boating opportunities
- Consider linking/extension of coastal trail
- Adequate access for commercial fishing activities at the launch
- Look at ADA compliance/linkages
- Number/distribution of public restrooms
- Need to reassess public view protection

TRANSPORTATION

- Concern about intensified traffic related to increases in density/intensity of development both within and around the Marina
- Is the mitigation being implemented?
- Has the applicable mitigation achieved intended results?
- Connection between size/number of boat slips and required parking
- Change in disposition/use of Area A
- Washington/Lincoln is second busiest intersection in Los Angeles County
- Status of alternate transit development & demand
- Lot 9 development of parking structure?? good/bad
- ADA access/maps and signage
- Impact on temporary events
- Absence of campsites
- Reassessment of rates?? Public trust relationship??

RECREATION & VISITOR SERVING USES

- 1967/Mothers Beach loss of water quality possible sewer line breaks??
- Relocation of Sea Scouts?
- Change/redevelopment of leaseholds with Yacht Clubs loss of recreation opportunities
- Lack of "welcome mat" to other County/regional visitors
- Need for County Beaches/Harbor to be located within Marina leasehold
- Historic dedication of Marina as small boat harbor/evolution
- Reduction in number boat slips/recreation opportunities
- Chapter 2/pg. 7/provision 5 status of Coastal Improvement Fund
- Exchange of parkland/water area??

MARINE RESOURCES

- Need for more pump outs for recreation boaters
- Need for public education/enforcement
- Alleged disposal of pump out to sewage manholes/violations??
- Real need for inter jurisdictional effort with RWQCB/CCC/ Beaches & Harbor
- Need for trash cleanup and enforcement on pump out (ban Styrofoam/plastics??)
- Solicit input/solutions from boating community
- Need to look at cumulative impacts of development
- Need for study of safety of fish consumption
- Existence of oil/gas pipelines in proximity possibility of leakage or pollution
- Gas storage/leakage in Marina

ESHA

- Villa Venetia/Oxford retention basin identified as ESHAS status
- Parcel 9/delineation of wetlands
- Local Coastal Plan Amendment/disposition of previously identified ESHAS
- Migration of bees/insects to different areas in Marina related with tree removal??
- Treatment/abatement of invasive species
- Disposition of Area "A"

CULTURAL RESOURCES

- Need for local history to be assembled and made public/interpretive opportunities??
- Gabrielno Tongva contact??

• Did the LCP assess paleotological resources??

NEW DEVELOPMENT

- Explanation/examination of leasehold assignment
- What does new development bring to Marina??/re-investment in Marina??
- Review leases with State Lands Commission public trust
- Do hotels serve visitor interests??
- "Residence hotel"??
- Focus on resident development
- Impact of development occurring in adjacent areas, as well as within Marina
- Impact to residents with lease hold redevelopment (Kingswood/Deauville Marina)
- Park at Parcel 9 rather than hotel
- Relationship of Asset Management Strategy to LCP implementation
- Concern about further intensification and need to protect recreation boating/support facilities
- Moratorium on new development pending reassessment
- Housing protection/amendment to Coastal Zone Management Act??
- Need for broader public representation/port authority with elected representatives??
- Boaters' elected representatives are outside the Marina

VISUAL RESOURCES

- Parcel 9 development will adversely impact public views
- Reduction of view corridors down mole roads

HAZARDS AREAS

- Potential impact of tsunami??
- Evacuation planning?
- Subsidence/liquefaction with landfills
- Development of high-rises in liquefaction zones??
- New issues with existing development!!
- Seismic hazard zone/Seismic Hazard Mapping Act conformance
- Tsunami impacts
- Existence of fault lines?
- Oil/gas pipelines as possible hazard?/expansion of gas storage facility

PUBLIC WORKS

- Sewage capacity/Hyperion treatment capacity
- Adequate water supply

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- New water supply/increase in sewage capacity??
- Proper maintenance/inspection of infrastructure

ENERGY

• Energy efficiency and recycling

DIKING & DREDGING

- Clean-up in water areas with dredging activities
- Need for maintenance dredging in Marina
- Results in 2000 dredging from suspended solids/need for monitoring with dock replacements
- Need for small craft harbor plan for water area??
- Consider pollutant sources at Mothers Beach
- Oil well removal vs. capping??

PROCEDURES/LCP ADMIN

- Inadequate public notice LA Times
- Need for another workshop??

APP. B Page No		Name	Organization	Issue	Issue	Issue	Issue	Issue	Issue	Issue	Issue
WORKS	HOP CON	 MMENT FOR	RMS								
	1/19/05	B. Moore		Shoreline Access	Transportation and parking	Recreation and Visitor Serving	Recreational Boating	ESHA			
	1/19/05	R. Miller		Shoreline Access	Transportation and Parking Access	Recreation and Visitor Serving Facilities	Recreational Boating	Water Quality	ESHA	Cultural Resources	Scenic Resources
	1/19/05	F. Weber	ASMBYC Environmental Chair	Shoreline Access/Transit	Recreational Boating/access for disabled/slips for special needs boating	Water Quality/ pump out situation					
	1/19/05	J. Melville		Shoreline Access/Playa Del Rey walk ramps eroded	Boating/more	Water Quality/ maintain pump out facilities					
	1/19/05	D. Lumian	Fairwind Yacht Club & MDR Community Boating Council	Recreation and Visitor Facilities/small community boating groups need help with educational and outreach facilities	Water Quality/pump out facilities	Recreational Boating					
	1/19/05	R. Horner		Recreation and Visitor Facilities	Recreational Boating	Water Quality	New Development				
	1/19/05	P. Phinney		Visual Access thru View Corridors	Shoreline Access	ESHA	New Development	Scenic and Visual Resources			

	Date	Name	Organization	Issue	Issue	Issue	Issue	Issue	Issue	Issue	Issue
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	1/19/05	L. Purcell		Shoreline Access/continuous walkway	Transportation and Parking	Recreation and Visitor Facilities	New Development				
	1/19/05	W. Drucker		ESHA	New Development						
	1/19/05	N. Coster		Recreational boating	Water Quality	ESHA	Scenic and Visual Resources				
	1/19/05	D. Klein		Transportation and Parking	Recreational Boating		New Development				
	1/19/05	S. Hoffman		Recreation and Visitor Facilities	Recreational Boating	New Development					
	1/19/05	H. Holmes		Recreational boating							
	1/19/05	P. Glick		Recreational boating							
	1/19/05	D. Franklin		*	Recreation and Visitor Facilities	Recreational Boating	Water Quality	New Developm ent		Diking Dredging and Filling & Shoreline Structures	
	1/19/05	N. Dopp		Transportation and Parking	Recreational Boating	Water Quality	ESHA	Cultural Resources	Coastal Hazards	Diking Dredging and Filling & Shoreline Structures	
	1/24/05	J.McNew		Shoreline Access	Transportation and parking	Recreational Boating	New Development	Coastal hazards	Procedures		
	1/25/05	D. DeLange	Coalition to Save the Marina	LCP Amendments needed	Recreational boating	Water Quality & Marine Resources	ESHA	New Developm ent	Circulation		
	1/19/05	D. Herbst									
	1/19/05	L. Felus									

APP. B Page No.		Name	Organization	Issue	Issue	Issue	Issue	Issue	Issue	Issue	Issue
APPEND	IX B: WR	ITTEN COMM	ENTS MAILED I	N							
B-1	1/11/05	R. Wheeler			Damaged jetties of Playa del Rey						
B-2		H. Best- Schermerhorn		Wetland protection							
B-3	1/20/05	D. Nierlich	Coastwalk	Clear pedestrian access route needed	Signing, benches, landscaping needed						
B-5	1/21/05	N. Dopp	Marina del Rey Outrigger Canoe Club	Water Quality	Parking to support use and facilities	Development of Lot 9/Protection of Affordable recreation use					
B-8	1/21/05	G. Schem	BoatYard	Impacts of Dry Stack Boat storage on launch ramp	Public Access						
B-13	1/22/05	D. Lumian		pump out facilities needed as in Newport Harbor and Huntington	Recreational and Visitor Facilities/Support small community boating groups	Recreational Boating/protect small boat slips					
B-15	1/23/05	B. Hayes		Support Community Boating Groups that provide affordable access to boating like Fairwind Yacht Club, Outrigger Canoe Club, TRW Sailing Club,LA Rowing Club/provide free space							

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B-16	1/23/05	R. Judkins			Recreation and Visitor Facilities/small community boating groups need help with educational and outreach facilities	Recreational Boating/protect small boat slips					
B-18	1/23/05	S. Meisner		Protect small boat slips							
B-19	1/23/05	S. Pore		protecting small boat	Support small community boating groups/storage at Mother's Beach	Water Quality					
B-21	1/23/05	N. Gallegos		design at North jetty walkway	Protect parking for Mother's Beach, canoe, kayakers and outriggers in daily storage	Impacts of increased heights of buildings	Diking, Dredging Filling & Shoreline Structures				
B-23	1/23/05	J. Young			Recreation and Visitor Facilities/small community boating groups need help with educational and outreach facilities	Recreational Boating/protect small boat slips					

APP. B Page No.	Date	Name	Organization	Issue	Issue	Issue	Issue	Issue	Issue	Issue	Issue
B-24	1/23/05	M.Mangir		Water Quality	Recreational Boating/increase small boat slips and reduce slip rental fees						
B-25	1/23/05	M. Fuller		Water Quality	Recreation and Visitor Facilities/small community boating groups need help with educational and outreach facilities	Recreational Boating/protect small boat slips					
B-26	1/24/05	G. Downs		Water Quality	Affordable access to boating						
B-27	1/24/05	J.Fawcett		Ease of Use of LCP Document	Allocation of development rights	Parking/transit	Park facilities needed				
B-30	1/24/05	S. Weinman		Impacts to affordable recreational boating	New development						
B-31	1/25/05	G.Sobel		Congressional Document 389	Recreational boating/protect yacht clubs	Stop residential development/impact s to wind from tall buildings/remove buildings	Oil and gas leaks				
B-33	1/24/05	C. Peppers		Displacement of affordable small boat slips	Water Pollution	Parking	Support community boating groups				

APP. B Page No.		Name	Organization	Issue	Issue	Issue	Issue	Issue	Issue	Issue	Issue
B-35		L. Purcell	Sierra Club Airport-Marina Conservation Committee	harbor for recreational				Air quality	Public outreach and notification inadequate		
B-37	1/24/05	John Davis	Airport Marina Regional Group Angeles Chapter Sierra Club			Document 389 requires public recreational harbor and existing development is contrary to	boat facilities contrary to LCP. Current studies call for more small slips not larger ones.		Lack of permit procedures in LCP	Does not comply with Seismic Hazard Mapping	
B-40	1/24/05	E. White		pump out facilities	Recreational Boating/protect small boat slips	Recreational and Visitor Facilities/Support small community boating groups					

APP. B Page No.	Date	Name	Organization	Issue	Issue	Issue	Issue	Issue	Issue	Issue	Issue
B-42	1/24/05	C. Nobles	American Sailing Association	accessible sailing by protecting small boat sailing and slips	Support Community Boating Groups that provide affordable access to boating like Fairwind Yacht Club, Outrigger Canoe Club, TRW Sailing Club,LA Rowing Club/provide free space						
B-43	1/24/05	D. Arnoth		pump out facilities & education needed	Facilities/small	Recreational Boating/ additional small boat slips needed					
B-45	1/25/05	B.Moore	Marina del Rey Convention & Visitors Bureau	1	Summer Beach Shuttles & bus transit need improvements	Need for more public boat rentals	Basin as recreation and habitat	More guest boat docks and dinghy docks needed in commerci al area			

APP. B Page No.		Name	Organization	Issue	Issue	Issue	Issue	Issue	Issue	Issue	Issue
B-48		John Davis	Airport Marina Regional Group Angeles Chapter Sierra Club	Inadequate public outreach							
B-54	1/26/05	C. Walsh		Poor water quality	Gas leaks	Impact of development on small craft harbor					
B-56	2/1/05	L. Purcell	Sierra Club Airport-Angeles Chapter	Maintain small craft harbor for recreational uses.	Open space, native plants/Rookery and wetland as ESHA		Water quality/ illegal dumping/ Dredging impacts/ fish safety	Air quality	Public outreach and notification inadequate	Cumulative Impacts	Cultural Resources/ SB 18
B-72	2/3/05	J. Davis		Map and jurisdictional questions							
B-286	2/7/05	J. Davis		Recreational boating							
B-288	2/8/05	G. Sobel		Recreational boating							

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B-289	2/1/05	J. Davis		Violations by the Coastal Commission							
B-295	1/27/05	P. Newman		Intensity of Development/Traffic							
B-297	1/4/05	E. Noegel		Recreational boating							

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APPENDIX B: WRITTEN COMMENTS SUBMITTED